

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Scott C. Harris	Group Art Unit 3695
Appl. No.	:	10/065,327	Confirmation: 9318
Filed	:	October 3, 2002	
For	:	WEB BASED COMMUNICATION OF INFORMATION WITH RECONFIGURABLE FORMAT	
Examiner	:	T. T. Havan	

Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant's Brief On Appeal

Sir:

Applicant files this supplemental Appeal Brief under Rule 41.37 to reinstate the appeal responsive to the Official Action dated October 1, 2009. The sections required by Rule 41.37 follow.

The present application qualifies for small entity status under 37 C.F.R. § 1.27.

Appl. No. : **10/065,327**
Filed : **October 3, 2002**

NO FEE IS NECESSARY, SINCE THIS BRIEF IS REQUESTING
REINSTATEMENT OF AN APPEAL IN WHICH ALL FEES HAD ALREADY
BEEN PAID.

Moreover, in view of the over 3½ years since this appeal was initially
perfected, Applicant requests that the patent office expedite the consideration and
decision of this brief.

Appl. No. : **10/065,327**
Filed : **October 3, 2002**

Real Party in Interest

The application has been assigned to Harris Technology LLC, who is the real party in interest.

Appl. No. : 10/065,327
Filed : October 3, 2002

Related Appeals and Interferences

There are no known related appeals or interferences.

Appl. No. : **10/065,327**
Filed : **October 3, 2002**

Status of Claims

Claims 1-18 and 41-52 are pending. Claims 19-40 are withdrawn from consideration. Each of Claims 1-18 and 41-52 are rejected.

Appl. No. : **10/065,327**
Filed : **October 3, 2002**

Status of Amendments

No amendment was filed subsequent to the close of prosecution.

Summary of Claimed Subject Matter

Claim 1 defines a handheld housing with processor and display, described in paragraph 62, page 13, first four paragraphs. The processor is described in paragraph 63. Claim 1 defines how the display displays a plurality of different indicators and that the indicators are selected with a single actuation. Paragraph 68, page 14, explains that each script may have an icon, and paragraph 71 defines how the single actuation is executed based on the icons.

Claim 1 further defines that the actuation executes a restored sequence of actions that interface with a remote Internet site, take some action and returns information from the Internet site based on the single actuation. Paragraph 71 describes how selecting an icon allows a number of different actions to be carried out in this way.

Claim 41 defines a computer with a network connection, see for example the end of paragraph 64 and paragraph 65 on page 14. A user interface display has at least one indication and a single actuation causes a prestored sequence of actions to be carried out over the network connection, see paragraph 68 which explains how the actuation is carried out.

Appl. No. : **10/065,327**
Filed : **October 3, 2002**

Grounds of Rejection to be Reviewed on Appeal

Are claims 1-18 and 41-52 unpatentable under 35 U.S.C. 103(a) based on
Leong?

Appl. No. : **10/065,327**
Filed : **October 3, 2002**

Arguments

Claims 1-18 and 41-52 are rejected under 35 U.S.C. 103(a) as allegedly being obvious based on Leong. This contention is respectfully traversed, and it is respectfully suggested that the rejection does not meet the patent office's burden of providing a prima facie showing of unpatentability.

Initially, is noted that the rejection is solely over the newly cited US patent to Leong however, in the second paragraph on page 3, the office action states "However, Vlahoplus does not explicitly teach handheld. Nevertheless, Leong discloses portable usability (col. 123, lines 4-15)." This statement makes no sense in the context of the current rejection. In order to attempt to expedite this appeal, the undersigned will assume that this was intended to refer to the Leong reference being applied, rather than to Vlahoplus, which is no longer being applied.

As explained in the previous appeal brief, the current claims require a plurality of different indicators, wherein each of those indicators, when selected with a single action does all of the following

- interface with a remote website,
- execute a prestored sequence of actions that interface with a remote website, and
- return information from the remote website,

as required by claim 1.

Appl. No. : 10/065,327
Filed : October 3, 2002

However, nothing in the lengthy Leong patent discloses this, and certainly does not disclose the combination of items which are required by the different claims.

Leong describes a virtual trading system, in which the user can set up an account with a bank and a “virtual trade” , and then carry out certain actions with that bank virtual trade thereafter, based on that initial setup. The information entered in the initial setup is later used to carry out certain operations. Nowhere, however, is there any disclosure or suggestion in Leong of a computing device that selects " execution of a prestored sequence of actions based on said single actuation that interface with a remote internet site, takes some action on the remote internet site, and returns information from the internet site, all based on said single actuation” as claimed. There is no single actuation in Leong that that selects "execution of a prestored sequence of actions ... that interface with a remote internet site" based on the single actuation, as claimed.

The rejection draws attention to column 108 lines 45 through column 109 line and column 145 lines 35-56 of Leong. This cited section, however, refers to evaluating the software created using the programming techniques described in Leong. Column 108, beginning at line 45, describes the product considerations, and performance modeling. Column 108 lines 47 describes that a sequence of activities is used when progressing on a design from a high-level conceptual

Appl. No. : **10/065,327**
Filed : **October 3, 2002**

design to a detailed design. Column 108 lines 54 describes that a performance modeling tool would not be able to determine if this software is actually more efficient than other similar software tools.

The top of column 109 of Leong describes the ways in which objects can be modeled. The middle of column 109 describes a way that components can be modeled. It is clear that this is referring to, therefore, the object oriented programming described in Leong's columns 12-17. This is an evaluation of this kind of programming. This does not disclose, suggest or otherwise make obvious the claimed subject matter of "at least one of said indicators, when selected with a single actuation, selecting execution of a prestored sequence of actions based on said single actuation that interface with a remote internet site, takes some action on the remote internet site, and returns information from the internet site, all based on said single actuation". Rather, this cited section refers to the way in which a computer program, e.g., an object oriented program being can be modeled to determine its effectiveness.

The office action also states that the claimed sequence of actions is also described to be shown column 148 lines 35-56. This refers to the "tool". See Leong's column 148 line 29 which describes that this is referring to what other utilities are available with the tool. It is clear from column 148 lines 24-29 that the tool is one that

Appl. No. : 10/065,327
Filed : October 3, 2002

"Controls report production and distribution from the moment the report is created to the time the printed report is dropped in the end-user's mailbox (electronic, paper, microfiche, etc.)"

Therefore, this has nothing to do with a handheld device, of the type claimed, which "selecting execution of a prestored sequence of actions based on said single actuation that interface with a remote internet site, takes some action on the remote internet site, and returns information from the internet site, all based on said single actuation". Even assuming Leong did recite such a device, the cited sections lines 35-56 simply describe the way in which reports (about printer traffic, see col 147, line 34-col 148, line 21) can be formed and managed. It does not describe the claimed subject matter of "execution of a prestored sequence of actions ... that interface with a remote internet site" based on the single actuation, as claimed..

Moreover, it is respectfully suggested that Leong does not describe a portable device with a handheld housing processor and display. The rejection draws attention to column 123 lines 4-15, however this simply describes prototyping by project managers.

Column 217 lines 16-44 are also referred to by the office action. There is no showing how this has anything to do with the object oriented programming testing previously described, and hence this section cannot be simply considered in a vacuum. Moreover, this section simply describes security within the transaction

Appl. No. : 10/065,327
Filed : October 3, 2002

and does not describe the "execution of a prestored sequence of actions based on said single actuation that interface with a remote Internet site" as claimed.

The dependent claims should be allowable for reasons discussed above with respect to the respective independent claims.

Claim 13 defines that the sequence accesses a plurality of different Internet sites and that the information is based on the plurality of Internet sites. The rejection refers to figures 34-35 to show this. However, these figures refer to the checking of electronic documents and has nothing to do with sections which were previously pointed out in the official action, which show program testing, reports about printing traffic, etc. Moreover, sections 34-35 certainly describe actions that occur over the Internet, however there is no showing that these actions are based on "selecting execution of a prestored sequence of actions based on said single actuation that interface with a remote internet site, takes some action on the remote internet site, and returns information from the internet site, all based on said single actuation".

Moreover, figures 34-35 are described in Leong at the bottom of column 23, where this describes these being for documentary compliance (figure 34), or the general architecture of the trade system (Fig 35). Nowhere is there any disclosure of the claimed prestored sequence of actions.

Claim 4 defines that one of the indicators includes an area for entry of variable information being sent to the Internet site. The rejection states that this is shown in figure 33. However, figure 33 does not show an area for entry of variable information, which is plain from simply viewing that figure. The bottom of column 23 (where this Figure is described) also does not show this. Admittedly the forms shown in figures 24A, 24B, 25, 27 and elsewhere in Leong allow selection of different information, but there is no showing of an area for entry of variable information and that the indicator is selected with a single actuation to execute a prestored sequence of actions as claimed.

The rejection also states that this is shown in figure 12 of Leong. Figure 12 clearly shows that one can interact with a bank in the Leong system, but does not show the prestored sequence of actions based on a single actuation, as claimed.

Claim 10 defines that the sequence of actions is a first action on a first website to obtain a first value and a second action on the second website to obtain a second value. The rejection states that this is shown in Leong's figure 6-7. Again, this has nothing to do with the previously cited sections of Leong. Even if it did, none of this shows a single actuation ... prestored sequence of actions" which involves the multiple web sites.

Claim 11 defines obtaining a bill amount from a first site and then use that bill amount to pay on a second site which is the bank's website. This can be used,

Appl. No. : 10/065,327
Filed : October 3, 2002

for example, for an automated bill payment by getting two different kinds of information from two different things. However, this is not shown or made obvious from Leong.

Leong's Figures 11 and 12 show a revolving line of credit, but do not show obtaining a bill from one website and paying that bill on the second website and certainly do not show "selecting execution of a prestored sequence of actions based on said single actuation that interface with a remote internet site, takes some action on the remote internet site, and returns information from the internet site, all based on said single actuation". Therefore, claim 11 should be additionally allowable.

Claim 41 defines "a processor, which operates based on a selection by said single actuation, of said prestored sequence of actions, to execute said prestored sequence of actions over said network connection based on said single actuation and no other necessary actuations". With all due respect, however, nothing in the cited Leong prior art teaches this, as described above. Therefore, claim 41 should be allowable for these reasons.

The dependent claims should also be allowable for analogous reasons to those discussed above.

Specifically, moreover, claim 42 defines detecting whether the network connection is available, and executing the sequence at a later time if the network is

Appl. No. : **10/065,327**
Filed : **October 3, 2002**

not available. The rejection refers to a first state and a second state showing figure 39. This does not suggest executing the sequence of events later if "the network is not available at said current time".

Claim 43 defines updating that information, again not shown by the cited prior art.

Claim 45 defines that a single prestored sequence of actions accesses a plurality of different Internet sites. Nowhere does Leong disclose this, and hence claim 45 is even more clearly patentable.

Claim 46 defines that the sequence of actions accesses a first Internet site to get first information and a second Internet site uses the first information to access the second Internet site. Again, Leong discloses nothing about this, and hence claim 46 is even more clearly patentable.

Based on the above, it can be seen that the rejection does not meet the Patent Office's burden of providing a prima facie showing of unpatentability. Reversal of the the examiner's legally incorrect position is respectfully requested.

Appl. No. : **10/065,327**
Filed : **October 3, 2002**

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Respectfully submitted,

Date: ____1/4/2010____

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CLAIMS APPENDIX

1. A computing device, comprising:

a handheld housing and processor and display, said display displaying a plurality of different indicators, and wherein at least one of said indicators, when selected with a single actuation, selecting execution of a prestored sequence of actions based on said single actuation that interface with a remote internet site, takes some action on the remote internet site, and returns information from the internet site, all based on said single actuation.
2. A device as in claim 1, wherein said processor displays said information on said display.
3. A device as in claim 1, wherein said sequence accesses a plurality of different Internet sites, and said information is based on said plurality of Internet sites.
4. A device as in claim 1, wherein at least one of said indicators includes an area for entry of variable information, and wherein said variable information is sent to said Internet site.

Appl. No. : **10/065,327**
Filed : **October 3, 2002**

5. A device as in claim 1, wherein said remote Internet site includes a bank, and said information includes a balance from said bank.

6. A device as in claim 1, wherein said information includes a plurality of different actions on said web site that can be carried out.

7. A device as in claim 1, wherein said a sequence of actions that are carried out to navigate through a sequence of actions on said web site and return a specified value.

8. A device as in claim 6, wherein said plurality of different actions include at least one action that can be selected to carry out said sequence of actions on said web site.

9. A device as in claim 4, wherein said web site is a web site that enables bids to be placed on items, and said entry of variable information is an area where a bid amount can be input.

Appl. No. : 10/065,327
Filed : October 3, 2002

10. A device as in claim 3, wherein said sequence of actions comprises taking a first action on a first web site, to obtain a first value, and taking a second action on a second web site using said first value to access said second web site.

11. A device as in claim 10, wherein said first action comprises obtaining a first bill amount from said first web site which represents a web site holding bills, and said second action comprises paying the bill amount obtained from the first web site using said second web site, which is a bank's web site.

12. A device as in claim 1, wherein said action with the remote web site comprises validating a secured transaction.

13. A device as in claim 12, further comprising an indicator with a first state indicating that said validating has occurred within a first specified time and a second state indicating that said validating has not occurred within a specified time.

14. A device as in claim 12, further comprising a biometric reader, associated with said validating.

Appl. No. : 10/065,327
Filed : October 3, 2002

15. A device as in claim 12, further comprising a memory storing a secret encryption key, and wherein said validating comprises using said secret encryption key.

16. A device as in claim 13, further comprising a memory storing a secret encryption key, and wherein said validating comprises using said secret encryption key, and wherein said action comprises sending a message to the remote Internet site, validating said secret encryption key at said remote Internet site, and returning an indication of a valid secret encryption key to take said first state.

17. A device as in claim 1, further comprising a handheld housing and wherein said processor and display are housed by said handheld housing.

18. A device as in claim 1, wherein said processor and display are battery driven.

19. *(Withdrawn) A method, comprising:*
using a prestored sequence of actions to access an Internet web site and to obtain and return specified information from said Internet web site.

Appl. No. : 10/065,327
Filed : October 3, 2002

20. (Withdrawn) *A method as in claim 19, further comprising storing said prestored sequence of actions, by monitoring a users actions when actually accessing said Internet web site.*

21. (Withdrawn) *A method as in claim 20, wherein said monitoring comprises monitoring actions in the background of a Web browser.*

22. (Withdrawn) *A method as in claim 20, wherein said monitoring comprises executing a dedicated program that monitors actions taken to access a web site.*

23. (Withdrawn) *A method as in claim 19, further comprising entering a supplemental parameter value to be used in accessing said web site.*

24. (Withdrawn) *A method as in claim 21, wherein said monitoring comprises monitoring multiple keystrokes, and executing a specified key at a specified time to select specified ones of the monitore keystrokes.*

Appl. No. : 10/065,327
Filed : October 3, 2002

25. (Withdrawn) *A method as in claim 23, further comprising automatically determining which of said stored sequence of actions requires parameter entry.*

26. (Withdrawn) *A method as in claim 20, wherein said storing comprises determining a users selection of said specified information to be returned.*

27. (Withdrawn) *A method as in claim 19, wherein said sequence of actions accesses more than one web site.*

28. (Withdrawn) *A method as in claim 25, wherein said sequence of actions accesses a first web site to obtain first information, and a second web site to carry out an operation using said first information from said first web site.*

29. (Withdrawn) *A method as in claim 28, wherein said first web site is an account, said first information represents an amount which is due on said account, and said second web site carries out an action to pay said balance.*

Appl. No. : 10/065,327
Filed : October 3, 2002

30. (Withdrawn) *A method as in claim 19, wherein said specified information is a list of actions that can be carried out on said Internet web site.*

31. (Withdrawn) *A method as in claim 30, further comprising selecting at least one of said actions to be carried out on said Internet web site.*

32. (Withdrawn) *A method as in claim 19, wherein said Internet web site is an auction web site which enables placing bids on auctions.*

33. (Withdrawn) *A method as in claim 32, further comprising determining a user status on the auction web site, and returning different information based on said user status.*

34. (Withdrawn) *A method as in claim 19, further comprising detecting an active connection to the Internet, and updating a plurality of variables when said active connection is detected.*

35. (Withdrawn) *A method as in claim 20, further comprising detecting an active connection to the Internet, and enabling storing of new prestored sequences only when said active connection is detected.*

35. (Withdrawn) *A method as in claim 19, wherein said specified information from said Internet web site is validation information for a secured transaction.*

37. (Withdrawn) *A method as in claim 36, further comprising a changing a state of an indicator to indicate validation information.*

38. (Withdrawn) *A method as in claim 36, further comprising reading biometric information, and validating said biometric information.*

39. (Withdrawn) *A method as in claim 38, wherein said validation information is based on both biometric information and validation by said Internet web site.*

40. (Withdrawn) *A method as in claim 36, further comprising storing secret encryption information, and wherein said Internet web site validates said secret encryption information and returns secured information.*

41. A computer, comprising:

a network connection;

a user interface, which displays at least one indication, where a single actuation causes a prestored sequence of actions to be carried out over said network connection; and

a processor, which operates based on a selection by said single actuation, of said prestored sequence of actions, to execute said prestored sequence of actions over said network connection based on said single actuation and no other necessary actuations.

42. A computer as in claim 41, wherein said processor detects whether said network connection is available at a current time, and executes said prestored sequence of actions at a later time if said network is not available at said current time.

43. A computer as in claim 42, wherein said processor executes each of a plurality of different prestored sequences of actions whenever said network connection is available, to obtain updated information each time said network connection is available.

44. A computer as in claim 41, wherein said prestored sequence of actions accesses an Internet site to obtain specified information from said Internet site.

45. A computer as in claim 41, wherein a single one of said prestored sequences of actions accesses a plurality of different Internet sites, to obtain specified information from each of said plurality of different Internet sites.

46. A computer as in claim 45, wherein said prestored sequence of actions accesses a first Internet site to obtain first information, and accesses a second Internet site using said first information to access said second Internet site.

47. A computer as in claim 41, wherein said processor also carries out an operation to validate based on an encryption key.

48. A computer as in claim 47, wherein said processor sends said encryption key to said remote site, and obtains a of validation key from a remote site.

Appl. No. : **10/065,327**
Filed : **October 3, 2002**

49. A computer as in claim 48, further comprising a biometric reader, and wherein said obtains a validation key comprises validating based on both said encryption key and a signal from said biometric reader.

50. A computer as in claim 48, further comprising an indicator, and wherein said indicator is changed in state based on said validation key.

51. A device as in claim 41, further comprising a handheld housing and wherein said processor and user interface are housed by said handheld housing.

52. A device as in claim 41, wherein said processor and user interface are battery driven.

Appl. No. : **10/065,327**
Filed : **October 3, 2002**

EVIDENCE APPENDIX.

None

Appl. No. : **10/065,327**
Filed : **October 3, 2002**

RELATED APPEALS APPENDIX

None